

Message Text

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ACTION EA-09

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C O N F I D E N T I A L TOKYO 1678

CINCPAC ALSO FOR POLAD

E.O. 11652: GDS
TAGS: MARR, JA
SUBJECT: OKINAWA LAND LAW

REF: TOKYO 16790

SUMMARY: CABINET HAS AGREED TO SUBMIT OKINAWA LAND
LAW TO DIET SHORTLY AND PRESS FOR ITS ENACTMENT PRIOR
TO MAY 14 WHEN SPECIAL TEMPORARY REVERSION LAW EXPIRES.
GOJ OFFICIALS INVOLVED FORESEE CONSIDERABLE CONTROVERSY,
AND US FORCES ARE COOPERATING WITH JAPANESE AUTHORITIES
TO MINIMIZE PROBLEMS OF DIET PRESENTATION. END SUMMARY.

1. CABINET FEB. 1 APPROVED REINTRODUCTION TO DIET
OF NEW OKINAWA LAND LAW TO REPLACE SPECIAL TEMPORARY
REVERSION LAW WHICH WILL EXPIRE MAY 14. REF. A PROVIDES
BACKGROUND ON PROBLEM. SIMILAR LEGISLATION WAS INTRO-
DUCED IN LATE 1976 BUT FELL BY WAYSIDE WITH END OF DIET
TERM. DIET COMMITTEE CONSIDERATION WILL PROBABLY
BEGIN NEXT MONTH FOLLOWING BUDGET HEARINGS.

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2. JAPANESE OFFICIALS VIEW NEW LAW AS ONE OF MAJOR ITEMS
ON DIET AGENDA. THEY FORESEE DIFFICULTY IN ENACTING
NEW LEGISLATION PRIOR TO MAY 14, BUT THEY APPEAR LESS
GLOOMY THAN IN PERIOD IMMEDIATELY FOLLOWING LDP SET-
BACK IN DECEMBER ELECTIONS. NONETHELESS THEY ARE
CONCERNED THAT BILL WILL BE SQUEEZED BETWEEN BUDGET,
ALREADY WELL BEHIND SCHEDULE, AND PRE-ELECTION DIET

MANEUVERINGS LIKELY TO MARK END OF CURRENT SESSION. AS ONE FONOFF OFFICIAL SAID "NO ONE IN LDP WILL BE VERY EAGER TO FORCE UNPOPULAR LEGISLATION JUST BEFORE UPPER HOUSE ELECTION." ON POSITIVE SIDE, DIET LIKELY TO RECOGNIZE OBLIGATION TO ENACT LEGISLATION NEEDED TO FULFILL TREATY OBLIGATION, WHEREAS ISSUE REMAINS TECHNICAL AND LOCAL, WITH LITTLE NATIONAL POLITICAL SIGNIFICANCE. FONOFF ENCOURAGED BY WITHDRAWAL FROM DIET SPECIAL OKINAWA COMMITTEE OF JSP DIET MEMBERS UEHARA AND OIDE, WHO HAVE APPARENTLY OPTED TO DODGE ISSUE DESPITE THEIR NORMAL INCLINATION TO HARASS GOJ ON SECURITY AFFAIRS. FINALLY, GOJ OFFICIALS HAVE BEEN ENCOURAGED BY VIGOROUS APPROACH TO PROBLEM DISPLAYED BY NEW JDA MINISTER MIHARA AND BY HIS SKILL AS DIET TACTICIAN.

3. OFFICIALS INVOLVED ARE GENERALLY RELUCTANT TO DISCUSS POSSIBILITY OF DIET FAILURE TO ENACT LEGISLATION, TAKING POSITION NO ALTERNATIVE TO PASSAGE. WE BELIEVE IT MOST UNWISE TO PRESS THIS QUESTION. SITUATION WOULD UNDOUBTEDLY BE EMBARRASSING AND LEAD TO CONSIDERABLE CONFUSION, ALTHOUGH COURTS WOULD PROBABLY UPHOLD GOJ OBLIGATION TO PROVIDE BASES AS PART OF REVERSION AND SECURITY TREATY OBLIGATIONS, WHICH GOJ MUST HONOR UNDER ITS CONSTITUTION.

4. TO ENHANCE PROSPECTS FOR PASSAGE OF NEW LEGISLATION, GOJ HAS REQUESTED U.S. COOPERATION IN SEVERAL AREAS: (A) RELEASE WHEREVER POSSIBLE OF LAND HELD BY NON-COOPERATING LANDOWNERS (B) PROVISION OF CONFIDENTIAL

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INFORMATION ON U.S. FORCES USE OF LAND TO ASSIST GOJ IN DEMONSTRATING THAT SUCH USE IS PROPER AND REASONABLE AS REQUIRED BY NEW LAW AND BY COMPARABLE LAWS ALREADY APPLYING TO JAPAN AS A WHOLE. (C) AGREEMENT TO ARRANGEMENTS FOR ENTRY INTO U.S. BASES BY GOJ OFFICIALS, LANDOWNERS, ETC., TO COMPLETE AND VERIFY SURVEYS AS REQUIRED BY NEW LAW. (D) MOST RECENTLY, AT JAN. 13 JOINT COMMITTEE MEETING, US AGREEMENT ON PROPOSED GUIDELINES FOR DIET RESPONSE WHICH WOULD INDICATE U.S. READINESS TO COOPERATE IN IMPLEMENTING NEW LAW. U.S. FORCES HAVE BEEN WORKING CLOSELY WITH GOJ AUTHORITIES ON THESE MATTERS AND WE CAN EXPECT INCREASING PACE TO THIS WORK AS DIET PROGRESSES.

5. COMMENT. ANXIETY DISPLAYED BY GOJ OFFICIALS UNDERSTANDABLE, BUT EMBASSY BELIEVES IT TOO EARLY TO JUDGE HOW BILL WILL FARE IN DIET. MUCH WILL DEPEND ON OVERALL DIET ATMOSPHERE, PARTICULARLY ON GOJ ABILITY TO ESTABLISH CONFIDENT POSTURE IN DEAL-

ING WITH BUDGET. WE ARE CAUTIOUSLY OPTIMISTIC.
GOJ IS COMMITTED TO PASSAGE OF BILL FOR WHICH THERE
IS NO GOOD ALTERNATIVE AND ISSUE APPEARS TO
PROVIDE ONLY MARGINAL POLITICAL MILEAGE FOR
OPPOSITION. IT DOES HOWEVER GIVE OPPOSITION CHANCE
TO HARASS GOJ AND WE CAN EXPECT CONSIDERABLE
DIET HEAT ON BASE-RELATED ISSUES IN NEXT FEW MONTHS.
GOJ MUST BEAR BURDEN BUT U.S. FORCES ARE PREPARED
TO HELP BY CONTINUING TO COOPERATE IN RESPONDING
TO GOJ REQUESTS TO FULL EXTENT POSSIBLE.

6. USFJ CONCURS.
HODGSON

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